

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.06 A, Closed Area No. 22, Sheepscot River and Tributaries, promulgated on May 7, 1998, is repealed and replaced with the following rule:

TEXT OF RULE: 95.06 A, Closed Area No. 22, Sheepscot River, Wiscasset, Edgecomb and Westport

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the tributaries, flats and waters of the Sheepscot River within the following described area: upstream (northerly) of a line running northeasterly from the southern tip of Fowle Point, Westport to the southern tip of Cross Point, Edgecomb; and northerly of the Cowseگان Narrows Bridge (Westport Island bridge); and downstream (southerly and westerly) from a line running northerly from the northeast side of the Route 1 Bridge in Edgecomb to the most western tip of a small unnamed island located just north of Davis Island, then running northwesterly to the southeastern end of the railroad trestle across Polly Clark Cove, then running due west to the mainland shore of Wiscasset.
 - A. EXCEPTION: Clams, mussels, oysters and quahogs may be harvested in Cushman Cove, Wiscasset, inside and westerly of a line, across the mouth of Cushman Cove, running northerly from Cushman Point to the south side of the outlet of an unnamed pond just north of Cushman Cove.
 - B. EXCEPTION: From September 15 through May 15, clams, mussels, oysters and quahogs may be harvested in Whites Island, Wiscasset, inside and westerly of a line running northerly from Cushman Point to the north side of the Wiscasset town dock. This opening is contingent upon the proper function of the Wiscasset Wastewater Treatment plant and will be closed in the event of a mechanical failure.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: May 15, 1998

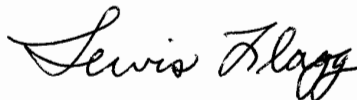
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TIMES RECORD
May 20, 1998

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.06 A, Closed Area No. 22, Sheepscot River and Tributaries, promulgated on May 7, 1998, and replaces it with a new one. This new regulation reopens the conditional flats of Whites Island in Wiscasset after the most recent sewage treatment plant bypass.

DMR personnel have sampled the waters and determined that shellfish can be harvested in these areas without threat to the public health. Whites Island will be closed from May 16 through September 14 due to the presence of numerous boats in the harbor and is conditionally managed based on the proper functioning of the Wiscasset Wastewater Treatment Plant.



LEWIS FLAGG
COMMISSIONER (ACTING)

Maine Department of Marine Resources
Shellfish Closure C22

